

MEMORANDUM FOR: Director of Central Intelligence

SUBJECT: Air Conditioning Equipment

1. This memorandum contains a recommendation in paragraph 5 for approval of the Director of Central Intelligence.

2. It appears obvious that there will be a substantial shortage of air conditioning equipment for Agency office space. Applicable law reads that, unless specifically so provided, appropriations other than appropriations to the Administrator of General Services shall not be available for the purchase or installation of air conditioning equipment in buildings in the District of Columbia or the area adjacent. There are certain exceptions which have been adequate to cover those needs of the Agency for air conditioning for special laboratories for scientific and research purposes, but there is no exception which allows procurement of air conditioning for reasons of personal comfort. This law dates from 1942 and was reenacted with amendments by the Congress as late as 1949.

3. We have no specific provision in our present appropriation or in the budget for Fiscal Year 1959 for the purchase of any such equipment. The General Services Administration, which is the normal procurement agency, states that due to lack of funds they will be unable to furnish us any air conditioning units this year. Despite maintenance efforts, window units go out of service daily and some provide only feeble relief. Some areas occupied as office space have no air conditioning.

4. Some years ago when the Agency had almost no air-conditioned space, the problem of dismissal in hot weather and the resulting interruption of Agency activities became acute. In 1952 we posed our problem to the General Counsel of the Comptroller

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General, and he said despite the broad authorities in the Central Intelligence Agency Act of 1949 he could not approve of procurement of air conditioning equipment by this Agency out of funds audited by the General Accounting Office unless the Congress specifically approved. He said, however, that, in view of our problem, he would have no objection to procurement out of Confidential Funds which would not be audited by the General Accounting Office and that he would assist us in resolving any question that might come up. Accordingly, we procured in 1953 the majority of the window units now in place. At that time, however, there were no concrete plans for a CIA headquarters building, and consequently there was no basis on which to estimate when our occupancy of the temporary buildings would cease.

5. The temporary buildings are where the main shortage of air conditioners exists and, of course, are the extremes of discomfort. There is no question that unless we procure additional units there will be some decrease of efficiency in the areas with no air conditioning. There will also be considerable unhappiness on the part of those who occupy those areas. We could probably proceed on the same basis as we did after our discussion with the Comptroller General's General Counsel and it might be that no one would raise a question. However, the main difference is that now we see the probability of only two more summers in the temporary buildings. The units by law become the property of the General Services Administration and presumably would be useful elsewhere when the temporary buildings are razed, but we are presented with the question of spending CIA funds to cool the areas for two summers after which they would be of no more use to the Agency. The intent of Congress is so clear, that we should only take such an extraordinary step for the most compelling reasons. All of us, I believe, are fully aware of the waste and discomfort involved in the course of a hot summer, but as a matter of policy I recommend against additional procurement of air conditioning units unless congressional approval is obtained for such an expenditure.

OGC:LRH:jeb
Orig & 1/2 cc-DD/S
cc: DCI
DDCI
ER
Office of Logistics
General Counsel

H. GATES LLOYD
Acting Deputy Director
(Support)
The recommendation in
paragraph 5 is approved

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